

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Fisheries Department – Regulation of Fresh Water Aquaculture in the State – Amendment Orders - Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT AND FISHERIES (FISH) DEPARTMENT

G.O.MS.No. 15

Dated: 26.05.2015

Read the following:

- 1) G.O.Ms.No.7, Animal Husbandry, Dairy Development & Fisheries (Fish.II) Department, dated 16.3.2013.
- 2) From the Commissioner of Fisheries, A.P., Hyderabad Lr.No.4588/P2/2010, Dated 12.7.2013
- 3) Government Memo.No.4018/Fish/A2/2013, Animal Husbandry, Dairy Development and Fisheries Department dated 03.12.2013.
- 4) From the Commissioner of Fisheries, A.P., Hyderabad Lr.No.4588/P2/2010, Dated: 04.4.2015
- 5) G.O.Ms.No.10, Animal Husbandry, Dairy Development & Fisheries (Fish) Department, dated: 28.4.2015.
- 6) From the Andhra Pradesh Fish Farmers Association representation Dated 19.5.2015.
- 7) From the Commissioner of Fisheries, A.P., Hyderabad Lr.No.4588/P2/2010, Dated 20.5.2015.

ORDER:

In the G.O. 1st read above, orders were issued for comprehensive and consolidated instructions and guidelines to consider the cases for regularization of existing unregistered fresh water aquaculture farms and also for registering new fresh water aquaculture farms in the State.

2. In the G.O. 5th read above, orders were issued for amending the Point No.2 under item B. Renewal of Guidelines in Annexure-I to G.O.Ms.No.7, Animal Husbandry, Dairy Development & Fisheries (Fish-II) Department, dated 16.3.2013.

3. During the discussions held on 19.05.2015 with the Aqua Farmers by the Hon`ble Minister for Agriculture and Fisheries and the Hon`ble Minister for Medical and Health Education the Aqua Farmers have placed their problems before the Ministers and the Minister instructed to act accordingly.

4. Further during the discussions held on 19.05.2015 with the Aqua Farmers by the Principal Secretary to Government, Animal Husbandry, Dairy Development and Fisheries Department, the Aqua Farmers have placed their problems before the Principal Secretary and requested to take necessary amendments to the G.O.Ms.No.7 Animal Husbandry, Dairy Development & Fisheries (Fish. II) Department, dated 16.3.2013.

5. In the reference 6th read above, the Andhra Pradesh Fish Farmers Association have represented that the renewal of registration for taking up fresh water aquaculture is not needed, as in the case of building permission by the Municipal Authorities. Once permission is granted, it will be permanent. Any additions or deletions in fish tank done by the farmer with prior permission of authorities, otherwise, authorities shall have the right to demolish unauthorized construction. They have requested the Government to modify the orders issued in the G.O. 5th read above suitably.

6. The Commissioner of Fisheries, Andhra Pradesh, Hyderabad in the reference 7th read above has submitted revised comprehensive proposal for amendment of G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16.3.2013 and G.O.Ms.No.10, Animal Husbandry, Dairy Development and Fisheries (Fish) Department, dated 28.4.2015.

P.T.O.

7. After careful examination of the matter and in **supersession of the orders issued in the reference 5th read above**, Government hereby made the following amendments to G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish. II) Department, dated 16.3.2013

AMENDMENTS

The following amendments are issued to G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated: 16.3.2013.

Sl. No	Para / Item	For the words	Read as
1.	In the G.O Under Para No.4 of Sub Para No.7.1	The applicant shall have a clear title of land in his name or shall be a lease holder of the land for a minimum period of five years.	The applicant shall have a clear title or enjoyment on the land in the village record such as Adangal/ Pahani/Kist receipt for more than 14 years in his name or shall be a lease holder of the land for a minimum period of five years for new tanks. It is clarifying that permission in enjoyment does not affect the title.
2.	In the G.O Under Para No.4 of Sub Para No.7.8	Fresh Water aquaculture farms should be located at least 10 meters from the nearest villages(s) /hamlet(s)	Fresh Water aquaculture farms should be located at least 10 meters from the nearest villages(s) /Notified hamlet(s)
3	In the G.O Under Para No.4 of Sub Para No.7.10	Fresh water aqua culture farms should maintain a minimum distance of at least 10 meters from burial grounds and places of worship.	Fresh water aqua culture farms should maintain a minimum distance of at least 3 meters from burial grounds and places of worship.
4	In the G.O Under Para No. 4 of Sub-Para No.7.22	The Certificate of Registration is not transferable. After registration and also at any stage during the process of registration, if the land is sold to another, the registration or process of registration shall cease. If the buyer is interested in aquaculture he shall apply afresh for registration. In case of leased lands, if the lease expires during the term of registration, the registration shall lapse. Lapse of registration can be avoided only by extension of lease. But in case a lease expires, the new lessee, if he is interested in aquaculture, shall apply afresh for registration.	The certificate of registration is transferable within the term of registration, if the land/ part of the Land sold/ inherited to another/ leased to another, if the buyer/ lessee is interested in aquaculture he shall apply to the District Fisheries Officers (DFO) concerned for transfer of registration with relevant documents and the District Fisheries Officers (DFO) should inspect the farm and by certifying that the farmer has not changed the layout, design, contour then he can transfer the registration, which is within the term of registration on payment of requisite fee. In case of leased lands, if the lease expires during the term of registration, the registration shall lapse. Lapse of registration can be avoided only by extension of lease.
5.	In the G.O. under Para 4 of sub-Para 7.23	During the period of registration a) The farmer should not make major and or fundamental changes in layout, design, etc. Unless prior approval of the District Level Committee is obtained. b) The farmer is permitted to carry out repairs, maintenance works and also any minor changes or adjustments required in view of changes in farming practices, introduction of new species, etc., without altering the fundamental design.	a) When once the registration is issued the farmer need not take any permission from the Revenue or any other authorities for taking up repairs of his culture pond. b) If the Farmer has made any major changes to his registered farm or any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration for the major changes or new area separately. However, reduction of culture area or

		c) Any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration of this new area separately. However, reduction of culture area or capacity does not need any separate approval.	capacity does not need any separate approval.
6.	In the G.O Under Para No.4 of Sub Para No.7.28	Record of inputs used in the farm like seed, feed, chemicals, pro-biotics, medicines, etc, and harvest details, production details, name and address of the buyer of produce, etc. should be maintained and reported to the DFO's concerned	Record of inputs used in the farm like seed, feed, chemicals, pro-biotics, medicines, etc, and harvest details, production details, name and address of the buyer of produce, etc. should be maintained and reported to the DFO's concerned immediately after harvest .
7.	In the G.O Under Para No.4 of Sub Para No.7.29	Objections of the neighbouring agriculture lands/ adjacent land holders shall be called for by publishing a notice of 15 days in the Notice Board of the District Fisheries Officer and then any objections received will be considered and disposed off by the District Level Committee before registration.	Objections of the neighbouring agriculture lands/ adjacent land holders shall be called for by publishing a notice of 15 days in the Notice Board of the concerned Gram Panchayat Office and at statutory places like the District Fisheries Officer and then any objections received will be considered and disposed off by the District Level Committee before registration.
8	In the G.O Under Para No.4 after Sub Para No.7.31 Sub -Para 7.32	Additional Point	In future while applying for permission the applicant should submit digital photo of proposed area for digging tank with geo-tagging for future reference and record in electronic form.
9	In the G.O After Para No.5 Para No. 6	Additional Point	G.O. Ms. No. 7 AH, D D & Fisheries (Fish-II) Dept., and Dated: 16.03.2013 and Amendments shall be followed strictly in true spirit without any interpolation and extrapolation and no extra levels & layers shall be added.
10	In the G.O After Para No.6 Para No.7	Additional Point	Any disputes under this G.O appeals shall be made to the Commissioner of Fisheries, Government of Andhra Pradesh.
11	In the G.O After Para No.7 Para No.8	Additional Point	If any disputes arises in the implementation of the G.O in the District level, it has to be resolved under the Chairmanship of Dt. Collector and the DLC Member (Aqua farmer) & Member Convener (District Fisheries Officer)
12	In Annexure-I Guidelines Under Item -A <u>Registration</u> in Point No.3	All existing unregistered aquaculture farms which have not applied for regularization so far shall apply to the District Level Committee (DLC), through the District Fisheries Officer on or before three months from the date on which this Government Order is issued. Application shall be made in the prescribed form (Annexure-II) and the applicant shall pay a processing fee of Rs.200/-per acre and penalty of Rs.500/-per acre (if applicable)	All existing unregistered aquaculture farms which have not applied for regularization so far shall apply to the concerned District Level Committee (DLC), through the District Fisheries Officer on or before 31.03.2016 . Application shall be made in the prescribed form (Annexure-II) and the applicant shall pay a processing fee of Rs.200/-per acre and penalty of Rs.500/-per acre (if applicable).
13	In Annexure-I Guidelines Under Item-A. <u>Registration</u> in Point No.4	All the persons who wish to start new fresh water aquaculture farms shall apply to the District Level Committee through the District Fisheries Officer (DFO) and pay a processing fee of Rs.200/- per acre. In respect of applications for setting up new aquaculture farms the DLC will scrutinize the applications as per the	All the persons who wish to start new fresh water aquaculture farms shall apply to the District Level Committee through the District Fisheries Officer (DFO) and pay a processing fee of Rs.200/- per acre. For setting up of new aquaculture farms the approval will be in two stages.

		<p>guidelines issued in this order and place them before the DLC. The concerned officers of the DLC shall check documents and inspect in order to ensure compliance to the procedure prescribed under Para 7 of the G.O specifically clauses (1) to (12) and if satisfied recommend to the District Collector for issuing a provisional registration. After approval by the District Collector a provisional registration is given whereupon the activity of excavation /construction /installation is permitted to be started. Subsequently, after completion of excavation/construction /installation the applicant shall apply again for final registration. The District Fisheries Officer will place them before the District Level Committee. The concerned officers of the DLC shall check documents and inspect in order to ensure compliance to the procedure prescribed under Para 7 of the G.O specifically clauses (13) to (20). The final registration will be issued by the DLC only on satisfactory compliance with all the guidelines given in this order. Upon obtaining final registration the new farm can commence and carry on aquaculture activities.</p> <p>In cases considered to be unfit for approval for provisional registration or final registration by the District Collector the applications will be rejected outright or alternatively a Modification Order will be issued by the District Collector specifying the modifications to be carried out in the farm and the time limits within which such modifications shall be carried out. After the time given in the Modification Order lapses the concerned DLC Officers will inspect and report to the District Collector about the modifications based on which the District Collector will either give approval or rejection.</p>	<p>A) Provisional Registration order: - All applications received by the DFO will be scrutinized as per the guidelines issued in this order and referred to respective members of DLC for inspection and recommendations. Then the DFO will consolidate all the recommendations of concerned members and place before the DLC for issue of provisional registration. After approval by the DLC a provisional registration will be given whereupon the activity of excavation /construction /installation is permitted to be started.</p> <p>B) Final Registration order:- After completion of excavation/construction /installation the applicant shall apply again to DFO for final registration. The DFO will refer it to the respective DLC Members. Then the DLC Members shall check documents and inspect in order to ensure the compliance to the procedure prescribed in the guidelines issued in this order. Then the DFO will consolidate all the recommendations of concerned members and place before the DLC for issue of the final registration and it has to be issued within one month from the date of receipt of application for final registration.</p>
14	In Annexure-I Guidelines Under Item-B <u>Renewal</u> in Point No.1	A person who intends to renew the registration of an aquaculture farm may apply to the DLC through the District Fisheries Officer concerned, in the prescribed form (Form-D annexed to this GO) at least two months before the expiry of such registration and shall pay a processing fee of Rs 200/- per acre.	-Deleted -
15	In Annexure-I Guidelines Under Item-B <u>Renewal</u> in Point No.2	The District Fisheries Officer shall receive the application for renewal and go through the same process of registration in accordance with this order and after approval by the District Collector renew the registration by making an entry with seal on the registration certificate.	-Deleted -

16	In Annexure-I Guidelines Under Item -B <u>Renewal</u> in Point No.3	Renewal may be rejected for failure to utilize the farm for aquaculture purposes and / or for violation of the conditions of registration and/ or the rules made in this Government Order and / or relevant Government Orders issued from time to time in this regard. The applicant shall be given an opportunity of being heard and his points shall be considered before rejecting. In case of rejection the grounds for rejection shall be stated.	-Deleted -
17	In Annexure-I Guidelines Under Item-B <u>Renewal</u> in Point No.4	Once a person applies for renewal, even if he applies late (but not later than the last date of the period of registration) he is allowed to continue aquaculture operations during the pendency of his application, until the disposal of his application by renewal or modification or rejection. But if application for renewal is not filed even after the term of registration expires, the District Collector is free to take action against him as per Para's 1, 2 and 3 under the 'Violations' chapter, unless and until he files an application for renewal.	-Deleted -
18	In Annexure-I Guidelines Under Item-C <u>Fees</u> in Point No.4	The applicant shall pay a processing fee of Rs.200/- per acre for Renewal.	-Deleted -
19	In Annexure-I Guidelines Under Item-C <u>Fees</u> in Point No.6 After Sub Point No.(i)	Additional Sub-point as (j)	For expenditure on IT solutions & systems including creation and maintenance of Website/Portal, Software costs, hardware costs. Communication expenses, manpower costs, Disease surveillance, equipping the Lab facilities and Web site market intelligence.
20	In Annexure-I Guidelines Under Item-E <u>VIOLATIONS</u> in Point No.2	Any fresh water Aquaculture Farm (existing or new) which is found to be operational after three months from the date on which this Government order is issued without having applied for registration or renewal will be levied with a penalty of Rs.5,000/- per acre by the District Collector and its operations shall be closed forthwith by the District Collector. The penalty amount of Rs5,000/- per acre shall be remitted by Demand Draft to the concerned District Fisheries Officer within 10 days	Any fresh water Aquaculture Farm which is found to be operational after 31.03.2016, without having applied for registration will be levied with a penalty of Rs.300/- per acre for next three months from 31.03.2016 i.e. upto 30.06.2016 (3 months buffer period for un-registered farms). Any freshwater Aquaculture Farm which is found to be operational even after the extended period ,i.e., after 30.06.2016 without having applied for registration will be levied with a penalty of Rs.5000/- per acre by the District Collector and <u>its operations shall be closed forthwith by the District Collector.</u>
21	Annexure- II In Form- A Under Item (3) Sub-Item (e)	Ownership right (whether free hold or leasehold, if leasehold specify the period of lease- from date to date)	Ownership right (whether own or leased, if leased specify the period of lease from date to date)
22	Annexure- II In Form-A Under Item (5) Sub-Item (e)	Category of the Land a) Waste land b) Low productive agriculture land c) Prone to inundation d) Low Lying area	-Deleted-

		e) Water logged area f) Agricultural land	
23	Annexure– II in Form-A Under Item-(11)	Culture aspects	Culture aspects Mention the names of permitted species (for information only)
24	Annexure– II In Form-B Under Item (3) Sub- Item (e)	Ownership right (whether free hold or leasehold, if leasehold specify the period of lease- from date to date)	Ownership right (whether own or leased, if leased specify the period of lease from date to date)
25	Annexure– II In Form-C Under Item (3) Sub- Item (e)	Ownership right (whether free hold or leasehold, if leasehold specify the period of lease- from date to date)	Ownership right (whether own or leased, if leased specify the period of lease-from date to date)
26	Annexure– II In Form-C Under Item (7)	Culture aspects	Culture aspects Mention the names of permitted species (for information only)
27	Annexure– II Form-D	Application for renewal of registration of Fresh water Aquaculture farm	-Deleted-
28	Annexure-IV, Compliance Form Under Item (3) Sub- Item (e)	Ownership right (whether free hold or lease)	Ownership right (whether own or leased)
29	Annexure- IV Compliance Form Under Item (11)	Culture aspects	Culture aspects Mention the names of permitted species (for information only)
30	Annexure -IV Compliance Form After Item (13)	Additional point proposed as Item 14	Record of inputs used in the farm like seed, feed, chemicals, probiotics, medicines, etc, and harvest details, production details, name and address of the buyer of produce, etc. should be maintained and reported to the District Fisheries Officers (DFO) concerned immediately after harvest.
31	Annexure-VII Under Conditions for the Registration at Item- 2	This certificate of registration is not transferable.	This certificate of registration is transferable within the term of registration, if the land sold to another/ leased to another, if the buyer/ lessee is interested in aquaculture he shall apply to the District Fisheries Officer (DFO) concerned for transfer of registration and the District Fisheries Officer (DFO) shall inspect the farm and certify that the farmer has not changed in the layout, design, contour then the District Fisheries Officer (DFO) can transfer the registration which is within the term of registration on payment of requisite fee.

32	Annexure-VII Under Conditions for the Registration at Item- 6	<p>During the period of registration</p> <p>a) The farmer should not make major and or fundamental changes in layout, design, etc. Unless prior approval of the District Level Committee is obtained.</p> <p>b) The farmer is permitted to carry out repairs, maintenance works and also any minor changes or adjustments required in view of changes in farming practices, introduction of new species, etc., without altering the fundamental design.</p> <p>c) Any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration of this new area separately. However, reduction of culture area or capacity does not need any separate approval.</p>	<p>a) When once the registration is issued, the farmer need not take any permission from the Revenue or any other authorities for taking up repairs of his culture pond.</p> <p>b) If the Farmer has made any major changes to his registered farm or any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration for the major changes or new area separately. However, reduction of culture area or capacity does not need any separate approval.</p>
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7. The Commissioner of Fisheries, Andhra Pradesh., Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Fisheries, Andhra Pradesh, Hyderabad.
All District Collectors / District Fisheries Officers through
Commissioner of Fisheries, Andhra Pradesh, Hyderabad.
Copy to:
The ESF & T Department.
The Water Resource Department.
The Finance (EBS.II) Department.
The P.S. to Minister (Agri, AH, DD & F)
The P.S. to Principal Secretary to Govt. AH, DD & F Dept.,
SF/SC

// Forwarded By Order//

SECTION OFFICER